

I FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **MAIL STOP MISSING PARTS**
Masao MATSUOKA et al.)
Application No.: 10/667,359)
Filed: September 23, 2003)
For: METHOD TO PROTECT)
TRANSGENES FROM SILENCING)
Group Art Unit: 1645
Examiner:
Confirmation No.: 9190

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed September 1, 2004, enclosed please find:

- A paper copy of the Sequence Listing.
- A diskette containing a computer readable version of the Sequence Listing.
- A Declaration Pursuant to 37 C.F.R. §§ 1.821-1.825.
- A copy of the Notice mailed on September 1, 2004.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to

Application No. 10/667,359
Attorney's Docket No. 026350-090
Page 2

credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in
duplicate.

Respectfully submitted,

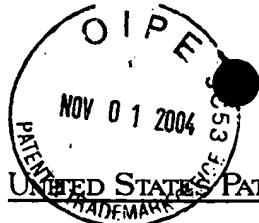
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 1, 2004

By: *Robert G. Mukai*

Robert G. Mukai
Registration No. 28,531

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/667,359	09/23/2003	Masao Matsuoka	026350-090

21839
 BURNS DOANE SWECKER & MATHIS L L P
 POST OFFICE BOX 1404
 ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 9190
FORMALITIES LETTER

 OC000000013693466

Date Mailed: 09/01/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
 DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents

P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Meas. w

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE